



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
FEBRUARY 26, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Luis G. Sariñana and Anthony Cobos. Council Member Paul Joseph Escobar arrived at 9:55 a.m. Absent: None. Meeting was called to order and the invocation was given by Reverend Milton Walker, Community Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

The following presentations were made:

1. Mayor and Council welcome to El Paso the new director of the El Paso Chamber of Commerce, Bob Cook.
2. Presentation to Council by the Museum
3. Presentation of Employee Suggestions
4. Women in Construction Week
5. Certificate of Appreciation

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts identified further in Exhibit A:

- a) One (1) artist's book by Anna Gaskell entitled *Untitled*, valued at \$2,000.00(offered by Regina Taylor and Peter Norton)
- b) One (1) oil painting by Jan Lassetter entitled *Pomponio Reflections*, valued at \$5,000.00(offered by the Elizabeth C. Mead Estate, El Paso, Texas)

Ms. Becky Duvall-Reese, Director of Museums, remarked that the Museum of Art continues to grow due to generous donors.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to approve the above Resolution.

Representative Escobar was not present for the vote.
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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to purchase, on behalf of the City of El Paso, the following works identified further in Exhibit A:

1. One (1) mixed media object by Margarita Cabrera entitled *Coffee Maker M.I.M*, valued at \$1,000.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation Endowment).
2. One (1) mixed media photo construction by David Taylor entitled *Grand Coulee Dam Spillway/Colville Houses*, valued at \$2,600.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation Endowment).
3. One (1) cibachrome print by Martina Lopez entitled *Heirs Come to Pass, I*, valued at \$4,000.00 (with funds provided by the Robert U. and Mabel O. Lipscomb Foundation Endowment).

Ms. Becky Duvall-Reese, Director of Museums, thanked the Robert U. and Mabel O. Lipscomb Foundation Endowment that provided funds that allowed the Museum of Art to purchase the wonderful works of art.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to approve the above Resolution.

Representative Escobar was not present for the vote.

Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve wine at One Arts Festival Plaza at the reception for Educator Evening, March 7, 2002, 6:00 p.m. - 8:00 p.m.

*RESOLUTION

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 28th day of August, 2001, after due notice and hearing, ordered ESTATE OF MARTHA RIVERA, DECEASED AND TONY RIVERA, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

The Lot 24, Block 3, of Hughes Subdivision, Block 2, of the Alameda Acres Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 13, Page 15, Plat Records of El Paso County, Texas, Texas, more particularly described as 5725 Kapilowitz Court, El Paso, Texas,

to be \$2,817.17, performed by the Street Department of the City of El Paso, \$1,434.52 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$4,251.69. The City Council finds that the work was completed on the 18th day of December, 2001, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of FOUR THOUSAND TWO HUNDRED FIFTY-ONE AND 69/XX DOLLARS (\$4,251.69) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the Far West Texas & Southern New Mexico Regional Advisory Council on Trauma, for grant funding in the amount of \$5,000.00 for the purpose of obtaining two automated external defibrillators that would be placed in two of the Police Department's Regional Command Centers. No matching funds required.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Texas Unified Certification Program Letter of Agreement on behalf of the City of El Paso to certify the City's willingness to participate in the Texas Unified Certification Program for Disadvantaged Business Enterprises (DBE).

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an amendment to the Interlocal Agreement between the City of El Paso, the County of El Paso and the El Paso County Hospital District for the establishment of the El Paso Community Mental Health and Mental Retardation Center to enable the parties to the agreement to reappoint a member of the Board of Trustees without requiring the trustee to repeat the application and screening

process prior to his or her reappointment and to allow for a hold-over of office not to exceed thirty days, if a successor was not appointed prior to the expiration of a term.

Representative Rodriguez asked that the item be placed on the Regular Agenda for public information.

Ms. Rita Rodriguez, City Attorney, explained that Ms. Elaine Hengen, Assistant City Attorney, was not available to answer questions; however, she explained that the Interlocal Agreement was being revised regarding board appointments and board re-appointments.

Motion made by Representative Power, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to Membership Agreement by and between the CITY OF EL PASO and the EL PASO ZOOLOGICAL SOCIETY to extend the term of such Membership Agreement through August 31, 2002.

NOTE: Resolution was revised to read: "to extend the term of such Membership Agreement through August 31, 2002" instead of "February 28, 2003".

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a grant application on behalf of the El Paso Zoo for submission to the Institute of Museum and Library Services ("IMLS") and to sign the related contracts and documents should funds be granted, either in the requested amounts or at such lesser amounts as may be approved by the IMLS. The application, for the FY 2002 National Leadership Grants for Museums, "Museums Online" category, is for \$250,000 over three years for use in developing an educational curriculum, a "cyber center" for use of the curriculum, programming to motivate children to guide their families through the Zoo, and "cyber kiosks" to provide access to the programming. The following matches would be required: in-kind and indirect costs valued at \$285,000 contributed by the City and \$119,000 contributed by the El Paso Zoological Society and other community agencies.

NOTE: Resolution was revised to delete the following language: "The following matches would be required: in-kind and indirect costs valued at \$380,000 contributed by the City and \$141,500 contributed by the El Paso Zoological Society and other community agencies". And replace with: "The following matches would be required: in-kind and indirect costs valued at \$285,000 contributed by the City and \$119,000 contributed by the El Paso Zoological Society and other community agencies".

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***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN OVERHEAD AND ANCHOR ELECTRICAL EASEMENT TO THE EL PASO ELECTRIC COMPANY FOR PROPERTY LOCATED IN A PORTION OF TRACTS 3B & 4B, A. F. MILLER SURVEY NO. 215, EL PASO, EL PASO COUNTY, TEXAS TO PROVIDE ELECTRICAL SERVICE TO THE FIESTA RESERVOIR AT 5325 N. MESA STREET.

WHEREAS, the El Paso Electric Company (Company) has requested the City of El Paso, on behalf of the El Paso Water Utilities Public Service Board (PSB), grant an overhead and anchor electrical easement to the Company for the purpose of providing electrical service to the Fiesta Reservoir at 5325 N. Mesa Street; and,

WHEREAS, the City finds that there is a need for the electrical service to lands owned by the City under the jurisdiction of the PSB; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign an overhead and anchor electrical easement in favor of the El Paso Electric Company for property being a portion of Tracts 3B & 4B, A. F. Miller Survey No. 215, El Paso, El Paso County, Texas and necessary to provide electrical service to the Fiesta Reservoir located at 5325 N. Mesa Street, El Paso, Texas.

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*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution authorizing the Mayor to sign an underground electrical easement to the El Paso Electric Company for property located in a Portion of Tract 5, Section 11, Block 81, Township 2, El Paso, El Paso County, Texas to provide electrical service to property located at Diana and Railroad Drive.
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***RESOLUTION**

WHEREAS, the Superfund Division Response & Prevention Branch of the United States Environmental Protection Agency desires to enter upon certain properties in the El Paso area to perform soil sampling to test for possible heavy metal contamination; and,

WHEREAS, the City desires to allow such access for the benefit of the citizens of El Paso and the work of the Environmental Protection Agency;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELPASO:

THAT the Mayor is hereby authorized to sign, on behalf of the City, an Access Agreement between the City of El Paso and the United States Environmental Protection Agency (EPA) to allow the EPA access to conduct soil, water and air sampling at FIRESTATION NO. 3, FIRESTATION NO. 4, FIRESTATION NO. 8, FIRESTATION NO. 9, FIRESTATION NO. 10, CENTRAL EL PASO FIRESTATION, H.T. PONSFORD PARK, PAUL HARVEY PARK, TOM LEA PARK, GALATZAN RECREATIONAL CENTER, SOUTH EL PASO SENIOR CITIZEN'S CENTER, THE EL PASO PUBLIC LIBRARY (at 7th and Florence), THE FUTURE UNION PLAZA TRANSIT TERMINAL SITE AND ANY OTHER CITY OWNED PROPERTY DEEMED NECESSARY, all in El Paso, El Paso County, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor's actions be ratified in signing Consulting Services Agreements with Dr. William C. Griggs and Dr. Bonnie Sachatello-Sawyer to provide consulting services with respect to the development of the interpretive report for the El Paso Museum of History and to participate in community meetings on February 20 and 21, 2002, regarding exhibits and public programs for the Museum. Funding for the Agreements will come from a consultation grant received from the National Endowment for the Humanities, which will cover all of the transportation and subsistence costs, as well as the \$800.00 in consulting fees for each of the consultants.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, having considered relevant facts pursuant to the applicable law, the City Council hereby establishes Just Compensation and approves an offer of Just Compensation for the following properties, which are proposed to be acquired for the Collingsworth Subdivision Phase IV Street and Drainage Improvements, a Twenty-seventh Year (2001-2002) Community Development project, as follows:

Parcel 4: A portion of Lot 1, Block 7, Collingsworth Subdivision, containing 48.00 square feet, more or less.
Value: \$2,895.00

Parcel 6: A portion of Lot 12, Block 2, Collingsworth Subdivision, containing 48.00 square feet, more or less.
Value: \$125.00

and that the Mayor be authorized to sign Contracts of Sale, with respective property owners of the above parcels in the amount of Just Compensation.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services between the City of El Paso and Stewart and Associates, in an amount not to exceed One Thousand Two Hundred Fifty and No/100ths (\$1,250.00) Dollars, for the appraisal of the following parcels, in partial fulfillment of the San Juan Parking Lot Acquisition Project, a 27th Year (2001-2002) Community Development Project:

Parcel 1: Lots 16 & 17, 7 Hughes Block 2, Alameda Acres

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, having considered relevant facts pursuant to the applicable law, the City Council hereby establishes Just Compensation and approves an offer of Just Compensation for the following property, proposed to be acquired for the Borderland Street and Drainage Improvement Project, a Twenty-sixth year (2000-2001) Community Development Project, as follows:

Parcel 1A: A portion of Tracts 7B1, EL CANUTILLO SURVEY NO. 173, consisting of 0.0936 acres, more or less. (Access and Drainage Easement)
Value: \$1,590.00

and that the Mayor be authorized to sign an Access and Drainage Easement Agreement with the respective property owner of the above parcel in the amount of Just Compensation.

NOTE: Resolution was revised to delete the following language: "and that the Mayor be authorized to sign a Contract of Sale, with respective property owner of the above parcel in the amount of Just Compensation".

And replace with: "and that the Mayor be authorized to sign an Access and Drainage Easement Agreement with the respective property owner of the above parcel in the amount of Just Compensation".

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Interlocal Governmental Agreements between the City of El Paso and the County of El Paso, wherein the County will contribute to the Foster Grandparent Program in the amount of \$4,900 and the Retired and Senior Volunteer Program in the amount of \$17,412 for the period of September 1, 2001 to August 31, 2002.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FIFTEEN THOUSAND ONE HUNDRED FIFTY AND NO/100THS DOLLARS (\$15,150.00 - \$7,166 loan/\$7,984 grant) against the following described real property:

Lot 9, Block 43, RANCHLAND HILLS UNIT 5, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 10, Page 27, Plat Records of El Paso County, Texas; also known and numbered as 1303 Roswell Road, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SEVEN THOUSAND FIVE HUNDRED FIFTY AND NO/100THS DOLLARS (\$7,550.00 - \$6,310 loan/\$1,240 grant) against the following described real property:

Lot 250, Block 11, VALLEY VIEW HEIGHTS, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 12, Page 25, Plat Records of El Paso County, Texas; also known and numbered as 6505 Cheyenne Trail Drive, El Paso, Texas 79925.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of FOUR AND 17/100THS DOLLARS (\$4.17).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TEN THOUSAND AND NO/100THS DOLLARS (\$10,000.00 - \$4,000 loan/\$6,000 grant) against the following described real property:

The South 111.66 feet of the North 186.66 feet of the West 77.5 feet of Lot 1, Block 7, LAFAYETTE PLACE, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 13, Page 39, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds in Exhibit "A", attached hereto and made a part hereof by reference; also known and numbered as 8013 Floyd Way, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of ONE HUNDRED FORTY-SIX AND 09/100THS DOLLARS (\$146.09).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Forgivable Loan Agreement and a Loan Agreement by and between the City of El Paso and Good Samaritan Society, Inc. in the amounts of \$299,607.00 and \$33,290.00, respectively, and that the Mayor be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) by and between the City of El Paso, Good Samaritan Society, Inc. and P. R. Homes, Inc. for the renovation of the Good Samaritan Towers located at 7750 Lilac Way, a Community Development Program 26th Year (2000-2001) design project and a 27th Year (2001-2002) renovation project, approved on June 21, 2001.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Berttye Barnhart covering an exhibit of "needlework from Embroiderers' Guild of America" at the Irving Schwartz Branch of the El Paso Public Library System for the period of February 28 through April 2, 2002. This exhibition is at no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

ACOSTA SPORTS CENTER
DEPARTMENT ID. 51010215, ACCOUNT 502215

1. CONTRACTOR: El Paso Umpires Association, Umpires Softball
DATES: March 31, 2002, thru August 31, 2002
RATE PER CL \$22
MAXIMUM AMT: \$1,100
CONTRACT: 2001/2002 – 132

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

ACOSTA SPORTS CENTER
DEPARTMENT ID. 51010215, ACCOUNT 502215

1. CONTRACTOR: El Paso Umpires Association, Field Supervisor
DATES: March 31, 2002, thru August 31, 2002
RATE PER GM: \$11.50
MAXIMUM AMT: \$2,300
CONTRACT: 2001/2002 – 133
2. CONTRACTOR: Esteban Raya, Jr., Field Supervisor for Slow-pitch Softball
DATES: March 31, 2002, thru August 31, 2002
RATE PER GM: \$11.50
MAXIMUM AMT: \$2,300
CONTRACT: 2001/2002 – 134

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

SAN JUAN RECREATION CENTER
DEPARTMENT ID. 51510123, ACCOUNT 502214

1. CONTRACTOR: William R. Collins, Karate Instructor
DATES: March 4, 2002, thru August 30, 2002
RATE PER CL: \$9.55
MAXIMUM AMT: \$515.70
CONTRACT: 2001/2002 – 135

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**ACOSTA SPORTS CENTER
DEPARTMENT ID. 51010215, ACCOUNT 502215**

1. CONTRACTOR: Nancy Jackson, Field Supervisor for Slowpitch Softball
DATES: March 31, 2002, thru August 31, 2002
RATE PER CL \$11.50
MAXIMUM AMT: \$2,300
CONTRACT: 2001/2002 - 136

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **MATTHEW D. JOHNSON** for the El Paso Water Utilities at the rate of \$9.00 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from February 27, 2002 through February 26, 2003.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and **RANDY LEE EICKHOFF, Ph.D.**, to present a program at the Richard Burges Branch of the El Paso Public Library. There is no cost to the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract for an Independent Contractor between the **CITY OF EL PASO** and **PARTY ANIMALS OF EL PASO** to conduct an Easter Program at the Richard Burges Branch Library on March 30, 2002 from 3:00 pm to 4:00 pm. The total cost for the program will be \$60.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Volunteer Services Agreements between the City of El Paso and the following volunteers for various branches of the El Paso Public Library. There is no cost to the City.

1. Teresa Heimer
2. Patricia M. Gonzalez
3. Armando Rangel

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and **M. EVA ARROYO DE PRADA** as a Court Interpreter for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from February 27, 2002 through August 31, 2002.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Service Contract between the **CITY OF EL PASO** and **MICHAEL KENT ROSS** for the Rio Bosque Wetlands Park Enhancement Project at the rate of \$8.50 per hour, not to exceed 20 hours per week. The contract period is from February 27, 2002 through June 30, 2002.

*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Margarita Balderas, Police Records Specialist III
- B. Veronica Villanueva, Clerk Typist II

*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Clerk Typist III (1)
- B. Recreation Leader II (1)

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Groundskeeper (1)
- B. Recreation Specialist (1)
- C. Civil Engineer Associate II (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police

Add	1.0	Police Records Specialist III	GS15
Delete	1.0	Police Records Specialist I	GS11
Add	1.0	Police Records Specialist I	GS11
Delete	1.0	Police Rcds Specialist III	GS15

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Fire

Delete	1.0	ARFF Technician I	C1
Add	1.0	Fire Suppression Tech	F2

*Motion made, seconded and unanimously carried to delete the reappointment of Mr. Alejandro Lozano to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Mr. James H. Kluetz to the City/County Animal Shelter Advisory Committee by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Albert M. Feinberg to the City Employee Pension Fund Board by Mayor Raymond C. Caballero.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. El Paso Mobile Homes, in the amount of \$3,929.98, overpayment of 1998 taxes.
(PID #1998-999-0245-0042)
- B. Citifinancial, in the amount of \$994.93, overpayment of 2001 taxes.
(PID #A460-000-0020-0105)
- C. Eulalio Martinez, in the amount of \$988.41 overpayment of 2001 taxes.
(PID #C203-999-0010-1850)
- D. Lone Star Title, in the amount of \$2,855.01, overpayment of 2001 taxes.
(C231-999-0080-6700)
- E. Harry O. and Sharon L. Wicks, in the amount of \$1,882.93 overpayment of 2001 taxes.
(PID #C340-999-1220-0750)
- F. Sarah Lambrick and John T. Snell, in the amount of \$3,522.35 overpayment of 2001 taxes.
(PID #C340-999-1520-1600)
- G. Flagstar Bank, in the amount of \$2,978.68 overpayment of 2001 taxes.
(PID #H156-999-0010-7500)
- H. Resource Title, in the amount of \$595.94 overpayment of 2001 taxes.
(PID #I256-999-0040-4900)
- I. Stewart Title of El Paso, in the amount of \$1,499.48 overpayment of 2001 taxes.
(PID #P654-999-0610-4500)
- J. Lawyers Title of El Paso, in the amount of \$1,339.24 overpayment of 2001 taxes.
(PID #S816-999-1480-7500)
- K. Stewart Title of El Paso, in the amount of \$705.00 overpayment of 2001 taxes.
(PID #U819-999-0100-01C0)
- L. Sierra Title in the amount of \$2,563.89 overpayment of 2001 taxes.
(PID #V893-999-5430-2100)
- M. Alma D. Avalia, in the amount of \$504.35 overpayment of 2001 taxes.
(PID #V893-999-5760-4200)
- N. Lone Star Title, in the amount of \$2,909.18 overpayment of 2001 taxes.
(PID #V897-999-1200-3900)

- O.** Maria S. Wright, in the amount of \$1,798.40 overpayment of 2001 taxes.
(PID #C518-999-0130-4300)
- P.** Maria S. Wright, in the amount of \$1,672.95 overpayment of 2000 taxes.
(PID #C518-999-0130-4300)
- Q.** Phyllis Bracher, in the amount of \$1,120.29 overpayment of 2001 taxes.
(PID #C731-999-0040-0900)
- R.** Lone Star Title, in the amount of \$3,685.00 overpayment of 2001 taxes.
(PID #C882-999-0010-9500)
- S.** Ernest & Debra Ortiz, in the amount of \$1,823.55 overpayment of 2001 taxes.
(PID #E049-999-0150-0800)
- T.** Lawyers Title Co., in the amount of \$2,396.95 overpayment of 2001 taxes.
(PID #F082-000-0130-1100)
- U.** Sierra Title Co., in the amount of \$1,626.65 overpayment of 2001 taxes.
(PID #I256-999-0100-6900)
- V.** L.V. Muela, in the amount of \$954.68 overpayment of 2001 taxes.
(PID #L506-999-0010-5200)
- W.** Lawyers Title of El Paso, in the amount of \$578.60 overpayment of 2001 taxes.
(PID #P324-999-0040-2300)
- X.** Hipolito Acosta, in the amount of \$1,896.00 overpayment of 2001 taxes.
(PID #P481-999-0220-1300)
- Y.** Lawyers Title of El Paso, in the amount of \$1,506.50 overpayment of 2001 taxes.
(PID #P654-999-108A-1500)
- Z.** Roque R. Segura, in the amount of \$2,209.94 overpayment of 2001 taxes.
(PID #P654-999-1090-2500)
- AA.** Nancy Canizales, in the amount of \$902.14 overpayment of 2001 taxes.
(PID #R246-999-0140-2300)
- BB.** Royce Gannaway, in the amount of \$581.98 overpayment of 2000 taxes.
(PID #R298-999-0010-1600)
- CC.** National City Mortgage, in the amount of \$1,757.13 overpayment of 2001 taxes.
(PID #S162-999-0290-3900)
- DD.** ATM Corp of America, in the amount of \$2,103.36 overpayment of 2001 taxes.
(PID #S237-999-0400-7300)
- EE.** Lisa Briscoe, in the amount of \$1,329.23 overpayment of 2001 taxes.
(PID #S775-999-0040-4200)
- FF.** Janet Schuyler, in the amount of \$508.11 overpayment of 1999 taxes.
(PID #S995-999-0000-1900)
- GG.** Sierra Title Company, in the amount of \$2,130.28 overpayment of 2001 taxes.
(PID #T188-999-0050-0700)

.....
 *Motion made, seconded and unanimously carried to approve Change Order No.7 (Construction Change) to C.F. Jordan, for "Yarbrough Drive Extension" for an increased amount of \$20,013.82. Change order is for a heavier weight landscape fabric for better weed control and durability, and to adjust unit price contract quantities as per final measurements and calculations.

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2002-053 Global Position System
 Award to: Surveyor's Service Company
 Costa Mesa, Ca
 Item(s): 1 with Optional Item O3
 Amount: \$43,530.00

Department: Street
Funds Available: 04102009-508029-P540009
Funding Source: FY1999 Contractual Obligations
Total Award: \$43,530.00

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase a Global Positioning System. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety- (90) days from the date of award of the contract. No prompt payment is offered.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-068 Steering Components & Related Parts - Rebid

Award to: G.O.T. Supply, Inc.
El Paso, Texas
Item(s): Group I, (all)
Amount: \$15,000.00 (estimated annually)

Department: Equipment Maintenance
Funds Available: 37370510-503121
Funding Source: Equipment Maintenance Internal Service Fund
Total Award: \$15,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Group II will not be awarded at this time and will be re-bid at a later date.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-070 High Pressure Coupled Hose Line & Hose Machines

Award to: Granberry Supply Corp.
El Paso, Texas
Item(s): All
Amount: \$15,000.00 (estimated annually)

Department: Equipment Maintenance
Funds Available: 37370510-503121
Funding Source: Equipment Maintenance Internal Service Fund
Total Award: \$15,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

No prompt payment discount is offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-084 Auto Parts Price List-Fuel System Components

Award to: Main Auto Part
El Paso, Texas
Item(s): Group I & Group II (all)
Amount: \$15,000.00 (estimated annually)

Department: Equipment Maintenance
Funds Available: 37370510-503121
Funding Source: Equipment Maintenance Internal Service Fund
Total Award: \$15,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 20 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-089 Interior & Exterior Painting of Fire Stations

Award to: Rainbow Painting & Drywall
Item(s): 1-5
Amount: \$21,410.00

Department: Public Works – Building Maintenance
Funds Available: 508027-27108
Funding Source: Grant Relocations FS – Building Maintenance
Total Award: \$21,410.00

Public Works, Building Maintenance and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one-time purchase. Bidder also offers a 3% 10 Days Prompt Payment Discount.

Low bid submitted by Paints & Brushes submitted in error.

.....

Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002065 Sunridge Park Improvements

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2002-065 Sunridge Park Improvements

Contractor:	Silverton Construction Company, Inc.	
	El Paso, Texas	
Department:	Parks & Recreation	
Funds Available:	31130550-PPW0046021-60026-508027	
Funding Source:	YR 2000 Quality of Life Bonds Election	
Items:	Base Bid I	\$544,797.00
	Alternate No. 12	\$138,750.00
	Alternate No. 14	\$ 20,000.00
	Alternate No. 15	\$ 32,819.00
Total Award:		\$736,366.00

The Departments of Purchasing, Engineering, and Parks and Recreation recommend the award of this contract to Silverton Construction Company, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002066 Geronimo-Edgemere Concrete Intersection Improvements

Representative Rodriguez questioned the names of the owners of the firm.

Mr. Byron Johnson, Director of Purchasing, stated that Mr. Gomez was the President and Ms. Virginia Beck the Vice-President.

Representative Medina questioned awarding the contract to an out of state firm and whether the firm offered health insurance benefits to the employees.

Mr. Johnson explained that this was a road project and that the Best Value Procurement did not apply to street and road improvements.

Ms. Rita Rodriguez, City Attorney, explained that the Legislature did not apply providing health benefits to employees to street projects but rather only to procurement projects.

Mayor Raymond C. Caballero stated that he would like to add street and road improvements to the Legislature.

Representative Medina asked whether Diamond Construction, Inc. of Las Cruces had done work for the City before.

Mr. Daryl Cole, Deputy Director for Streets, remarked that the Street Department currently has a contract with Diamond Construction, Inc. of Las Cruces and that the contract is 60 days old.

Representative Sariñana questioned whether companies from out of state receive a 5% deduction.

Ms. Rodriguez explained that the bid must be 5% lower.

Mr. Gonzalo Cedillos, Deputy Director of Engineering, commented on the progress of the Geronimo-Edgemere Concrete Intersection Improvements and that the Texas Department of Transportation was overseeing this project.

Mr. Johnson explained that he would provide the information regarding the company's health insurance benefits for its employees to Council Members.

Motion made by Representative Cook, seconded by Representative Escobar and carried to award Bid No. 2002-066 Geronimo-Edgemere Concrete Intersection Improvements

Contractor: Diamond Construction, Inc. of Las Cruces
Las Cruces, New Mexico
Department: Streets
Funds Available: 31250102-PPW0028010-27196-508027
Funding Source: FY 00 COs
Items: Base Bid \$233,000.00
Total Award: \$233,000.00

The Engineering, Streets and Purchasing Departments recommend the award of this contract to Diamond Construction, Inc. of Las Cruces, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Representative Medina voted Nay.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-312 AIRPORT
Transfer of funds to set up Airway landscaping project. New project portion to be reimbursed by PSB.

Increase	\$65,000	to	62620020/PAP002041056/508027	Construction
Increase	\$65,000	to	62620020/PAP002041056/407001	Intrafnd Trf In
Increase	\$65,000	to	62620018/P50000241021/507001	Intrafnd TrfOut
Increase	\$65,000	to	62620018/P50000241021/407002	Est Bal

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-350 COMMUNITY DEVELOPMENT

This transfer will move funds from the Community Development 26th Year Contingency Account to the Community Development Borderland Area Street and Drainage Improvements Design, a 25th Year (1999-2000) project. This transfer is necessary to cover an amendment to the design contract brought about by a requested design change.

Decrease \$3,000 from 71150047/G7126CD000210007/508027 Construction
Increase \$3,000 to 71150000/G7125CD115607593/508016 A & D

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-351 ARTS RESOURCES

Budget transfer necessary to align budget with HAF grant award to present Berta Rojas in the World on a String Guitar Festival. Grant award is in the amount of \$675 and requires a 1:1 match.

Increase \$ 675 to 55150003/G55020607276/406003 City Match
Increase \$ 675 to 55150003/G55020607276/406001 State Match
Increase \$1,350 to 55150003/G55020607276/502102 Artistic Fees

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-352 PARKS & RECREATION

This budget transfer recognizes revenue received from donation. Money will be used to purchase trophies for mini-basketball program.

Increase \$200 to 51510074/P50024716332/405060 Donations
Increase \$200 to 51510074/P50024716332/503116 Rec Sup

.....
*Motion made, seconded and unanimously carried to approve the request of First Apostolic Church to use amplification (one - 400 amp) at San Jacinto Plaza on April 27, 2002 from 11:00 a.m. to 2:00 p.m. Approximately 50 - 100 persons will take part and 100 spectators are anticipated. PERMIT NO. 02-010

.....
*Motion made, seconded and unanimously carried to postpone one (1) week An Ordinance changing the zoning of Lots 31, 32, 33 and 34, Block 19, BRENTWOOD HEIGHTS, El Paso, El Paso County, Texas, (5318-5322 Gateway East Boulevard) from R-5 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicants: James Drake and Irma Crowley / Representative: Stephen Simon, 7729 Lockheed, Suite A, El Paso, TX. 79925. ZC-01065

.....
ORDINANCE 15041

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01018, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF TRACT 1A, O. A. DANIELSON SURVEY NO. 312, EL PASO, EL PASO COUNTY, TEXAS (AN UNDEVELOPED AREA AT THE END OF WHIRLWAY DRIVE, SOUTH OF DOUBLE JAY DRIVE) PURSUANT TO SECTION 20.12.040A. (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Representative Escobar questioned Ms. Patricia Adatao, Director of Planning, whether there was any opposition to the Ordinance.

Ms. Adatao responded there was none.

Motion duly made by Representative Escobar, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15042

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-01021, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH PRIVATE STREETS AND A GATED ENTRY ON A PORTION OF SECTION 44, BLOCK 79, T & P R R COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (BOB MITCHELL DRIVE AND EL PASEO REAL CIRCLE) PURSUANT TO SECTION 20.12.040A (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Representative Power questioned Ms. Patricia Adatao, Director of Planning, whether there was any opposition to the Ordinance.

Ms. Adatao responded that the Planning Department had received no letters or phone calls in opposition. She explained the special permit for Council Members information.

Motion duly made by Representative Power, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made Representative Rodriguez, seconded by Representative Cook and unanimously carried to postpone four (4) weeks and remand to the CPC (City Plan Commission) an Ordinance changing the zoning of the North 54.3 Feet of the South 136.3 Feet of Tract 95 and the East 100 Feet of the North 136.3 Feet of Tract 96 and the North 16 Feet of the West 100 Feet of Tract 96 and the North 81.7 Feet of Tract 95, SUNRISE ACRES, El Paso, El Paso County, Texas (8605 Gateway Boulevard South) from C-OP (Commercial-Office Park) to C-1 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Javier Martinez, 4409 Loma Casitas, El Paso, TX 79934. ZC-01066

Ms. Patricia Adatao, Director of Planning, remarked that the decision of the CPC (City Plan Commission) and DCC (Development Coordinating Committee) was subject to prohibiting access to Neptune and that the Committees want to maintain access from Gateway South. She added that there have been no letters or phones calls in opposition.

Mr. Javier Martinez, applicant, remarked that he had originally requested C-3 zoning.

Representative Cook stated that this lot is next to a ponding area.

Ms. Adaauto discussed the property and surrounding properties and their zoning(s). She stated that the DCC and CPC felt that the uses allowed under C-3 would be too intensive and not compatible with the surrounding neighborhoods. The CPC felt that C-1 zoning was more compatible and voted 5-0 to recommend the C-1 zoning. The DCC was unanimous to rezone to C-1.

Mr. Martinez responded that the intended building could be built under the C-1 zoning; however, electrical and other businesses were not interested in moving into his building due to the C-1 zoning.

Representative Sariñana clarified that warehouses were C-4 zoning.

Representative Cook asked whether there were any restrictions under C-3 that Council Members could impose and asked that the item be postponed for one week.

Representative Rodriguez remarked that she would like to postpone for two weeks to allow for a community meeting.

Ms. Rita Rodriguez, City Attorney, requested that this be returned to the City Plan Commission if restrictions were being recommended.

Ms. Adaauto remarked that the item was too late for the next CPC meeting and therefore asked to postpone for four weeks.

.....

ORDINANCE 15043

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF TRACTS 2, 3 AND 5, SECTION 16, BLOCK 79, TOWNSHIP 3, T. & P. R. R. SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SOUTHEAST CORNER OF JOE BATTLE BOULEVARD AND VISTA DEL SOL DRIVE) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL); AND PARCEL 2, FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Adaauto, Director of Planning, responded no to Representative Escobar's question as to whether there was opposition to the Ordinance.

Motion duly made by Representative Escobar, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Tracts 10E and 10F, Block 39, YSLETA GRANT, El Paso, El Paso County, Texas (216-218 South Schutz Drive) from R-4 (Residential) to A-2 (Apartment) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Miguel Melendez, 147 Ventura Drive, El Paso, TX 79907. ZC-01068

Comments were made by Ms. Patricia Adaudo, Planning Director and Representative Escobar. Ms. Adaudo stated two letters in opposition had been received.

ORDINANCE 15044

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 4-C-1, BLOCK 25, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS (7441 ALAMEDA AVENUE #1) FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Patricia Adaudo, Director of Planning, explained the zoning change for Council Members' information and noted that the DCC and CPC recommended in favor; however, the Planning Department has received one letter in opposition from Mrs. Elodia Herrera, 7441 Alameda.

Motion duly made by Representative Sariñana, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

The City Clerk read an ordinance entitled: An Ordinance changing the zoning of the South 55 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, and the North 55 Feet of the South 110 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, El Paso, El Paso County, Texas (8323 North Loop) from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Jose Gutierrez / Representative: Dick Bowen, 309 Celaya Way, El Paso, TX 79927. ZC-01070 THIS IS AN APPEAL CASE.

Representative Sariñana said he spoke with the residents and he does not believe they understand what the developer is proposing. He stated that Water District No. 1 does not like developers crossing over the laterals. He noted that it looks as though commercial zoning is being placed in the middle of the residential area.

Ms. Patricia Adaudo, Director of Planning, explained the site for Council Members' information and noted that the CPC by a vote of 5-0, along with the DCC, unanimously recommended denial of the C-1 request. The reason for denial was that it was not compatible with the existing residential zoning in the area. There were no letters or phone calls in opposition although many phone calls were received asking for information.

Representative Sariñana spoke about egress and ingress. Ms. Rita Rodriguez, City Attorney, commented on the easement crossings and the fee charged by the Water Improvement District.

Mr. Dick Bowen, CIA Real Estate Company, explained the problems he has encountered regarding this zoning change.

Ms. Adaudo discussed North Loop as designated mixed-use zoning and that the owner is not automatically entitled to commercial. She then showed Council members slides of the property.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to discuss the item during Executive Session. See action on this item under Executive Session on pages 24 and 25.

.....
RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01029, FOR A PORTION OF TRACTS 15, 16, 17 AND 17A, SECTION 32, BLOCK 79, TSP 2, T. & P. R. R. SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SOUTH OF MONTANA AVENUE AND WEST OF JOE BATTLE BOULEVARD), PURSUANT TO SECTION 20.56.080E. OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Tropicana Homes, Inc.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.56.080E. (Zoning) of the El Paso Municipal Code, to permit the construction and development of a single-family residential development with reduced lot areas, widths and rear setbacks; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a single-family residential development with reduced lot areas, widths and rear setbacks on the following described property, which is located in a **PR-2/c (Planned Residential/conditions)** District:

A portion of Tracts 15, 16, 17 and 17A, Section 32, Block 79, TSP 2, T. & P. R. R. SURVEYS, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A", and located South of Montana Avenue and West of Joe Battle Boulevard.

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **PR-2/c (Planned Residential/conditions)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **PR-2/c (Planned Residential/conditions)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Representative Power made comments and asked whether there was any opposition. Ms. Patricia Adauto, Director of Planning, stated there was no opposition. Mr. Terry Williams, Deputy Director for Building Services, commented on soil samples which are taken prior to the development.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to delete the discussion and action relating to the creation of a Municipal development corporation to provide educational and job training pursuant to the better jobs act.
.....

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to move to the forefront the discussion on why citizens cannot use the Tony Ponce Gym, located at the Acosta Recreation Center at 4321 Delta Dr., for free play. (Raul Garcia)

Mr. Raul Garcia, citizen, explained that Ms. Paula Powell, Director of the Acosta Recreation Center, does not allow the children to use the gym due to the gym floor being varnished. He spoke about an electrical fire and a bomb threat earlier in the month. He asked that the telephones at the Recreation Center be given the caller i.d. option. He also stated that he would like to sponsor a team; however, he asked that he be allowed to make payments rather than pay the full amount, \$120.00, upfront. He stated the monies must be paid by March 1, 2002. He asked if the Council Members would change the Ordinance regarding the payment method.

Mr. Charles Nutter, Director of the Parks & Recreation Department, explained that the sponsorship fees are due by March 1, 2002 and that the Parks Department cannot extend credit as per Ordinance. He explained that at the Acosta Recreation Center there is one phone with the caller i.d. capabilities and that Ms. Jennifer Hearn, Data Systems Operator, Parks & Recreation Department is currently working on the other telephones. He noted that Ponce Gym has been varnished recently and that the gym is available if the proper shoes are worn.

Ms. Rita Rodriguez, City Attorney, advised Council Members to limit their discussions to the item on the agenda.

Mr. Nutter explained that members of the Parks Department are available to discuss issues with Mr. Garcia.

No action was taken regarding the discussion on why citizens cannot use the Tony Ponce Gym, located at the Acosta Recreation Center at 4321 Delta Dr., for free play. (Raul Garcia)

.....
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to allow the use of District IV Discretionary funds to pay for the installation of a single business line to be used by VITA volunteers at the Nolan Richardson Recreation Center for the purpose of electronically transmitting income tax returns from February 2002 to April 15, 2002. (Representative John Cook)
.....

Representative Power questioned whether this was an appropriate use of discretionary funds.

Ms. Rita Rodriguez, City Attorney, remarked yes as it pertains to senior citizens.

Representative Medina was not present for the vote.
.....

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Consent to Assignment allowing for EL PASO LONE STAR SECURITY AGENCY to assign monies due under Contract No. 2000-144, between the CITY OF EL PASO and EL PASO LONE STAR SECURITY AGENCY, to INTERSTATE CAPITAL CORPORATION (ICC).

Motion made by Representative Sumrall, seconded by Representative Cook and carried to approve the above Resolution.

Representative Medina was not present for the vote.

Motion made by Representative Cook, seconded by Representative Sumrall and carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Ordinance 8064 (the Classification and Compensation Plan) to create the class of TREASURY SERVICES MANAGER. Salary Range: \$56,525 - \$88,826.
- B. An Ordinance vacating a 16-foot alley in Block 118, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas (between Byron and Russell Streets).
- C. An Ordinance amending the City Code, Chapter 18.02—Building and Construction Administrative Code to add Section 18.02.110—Displays in City facilities, to provide for the display of plaques and other items in City facilities and providing an effective date.

PUBLIC HEARING WILL BE HELD ON MARCH 12, 2002 FOR ITEMS A - C

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Medina was not present for the vote.

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council authorizes the Mayor to sign an Interlocal Agreement between the CITY OF EL PASO and the EL PASO INDEPENDENT SCHOOL DISTRICT for the City, through its Parks & Recreation Department, to conduct an after-school Neighborhood Youth Outreach Program at Lee Elementary School from September 1, 2001 through July 31, 2002.

*RESOLUTION

WHEREAS, in 2002, the United States Congress will commence the reauthorization of TEA-21 commonly known as the Transportation Equity Act for the 21st Century;

WHEREAS, each community in our great country will propose various transportation initiatives for their region;

WHEREAS, El Paso lies at the heart of the nation's second largest trade corridor into Mexico comprising almost 20 percent of all international trade with Mexico under the North American Free Trade Agreement;

WHEREAS, after decades of neglect along the Texas-Mexico frontier, El Paso, a community of over 700,000 residents, is in need of infrastructure improvement;

WHEREAS, infrastructure improvements are vital to the prosperity of the community and the future of both nations;

NOW THEREFORE, BE IT RESOLVED that the City of El Paso does hereby support and adopt the following five key transportation projects, as the consensus transportation priorities for this region:

- **Sun Metro Area Rapid Transit (SMART) Starter Line:** A fixed guideway starter line from the international bridge at El Paso Street to the San Jacinto Plaza/Oregon Street Transit Mall, a distance of approximately .75 miles, is proposed for construction. This mass transit line between two countries will move passengers smarter, faster, and safer than current pedestrian and passenger cars. This fixed guideway concept was previously approved and authorized in TEA-21 legislation in 1997;
- **Construction of the Ysleta/Zaragoza Dedicated Transit, Commuter Lane and Inspection Facility:** In order to expedite passenger, pedestrian and commercial traffic, a state-of-the-art Ysleta/Zaragoza dedicated transit, commuter and inspection facility is proposed. This facility will dramatically improve the efficiency of crossing pedestrians, passengers and commercial traffic in one of the key commercial bridges on the US/Mexico Border. This project will necessitate the need to purchase right-of-way, construction inspection facilities, install state-of-the-art inspection equipment, converting the four lane bridge to five lanes, installation of concrete medians, and placement of appropriate signage. After September 11, ports of entry must move people and product faster, safer, and more efficiently.
- **Fabens/Casetas Port of Entry:** The county of El Paso proposes to build a new international commercial port of entry at Fabens/Casetas. This new Border crossing will add an eastern alternative to the crowded central metro locations at BOTA and the Ysleta/Zaragoza bridges in the nation's second largest inland port. Ciudad Juárez, Mexico, El Paso's Mexican sister city contains almost all of the Fortune 500 NAFTA plants in its industrial base. This port of entry will use state-of-the-art inspection technology for commercial cargo to move east bound traffic from Chihuahua to Juárez to I-10.
- **Rail Connection to Intermodal HUB at El Paso International Airport:** Fort Bliss is the nation's premier air defense facility. Relocating rail lines and providing infrastructure for an intermodal hub facility reduces the region's dependence on roadway transportation, exponentially improves safety, and provides a staging area for the southern projection platform for the United States Army at Fort Bliss. An intermodal HUB at the nation's second largest southern Border inland port will result in a seamless transfer of cargo in a facility which is

master planned to provide necessary infrastructure to support the just-in-time inventory requirements of significant area manufacturers.

- **Construction of the Northeast Parkway from Loop 375:** This facility will serve El Paso and Southern Doña Ana County New Mexico as a truck bypass around the northeast section of the city, and direct east and west bound I-10 traffic from California to Houston in a way that avoids the inner City of El Paso. This project will speed commercial traffic on I-10 and reduce pollution to the nation's 23rd largest city.

The list herein above shall not preclude any other sponsoring agency from promoting other projects.

.....
*Motion made, seconded and unanimously carried to delete the Resolution that the Resolution passed by City Council on July 3, 1984, as amended, adopting the document entitled "Policy Statement, The Duties and Responsibilities of the Purchasing Director" is hereby amended to comply with the 77th Texas Legislative changes.

.....
*Motion made, seconded and unanimously carried to delete the discussion and action to require Sun Metro to notify Bench Ads of El Paso, Pinnacle Media d/b/a Metro Bench, and Master Bench Ads to repair or replace damaged bus benches and to require Sun Metro to institute action to place Bench Ads of El Paso in default of its franchise agreement. (Francis S. Ainsa, Jr.)

.....
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

1. Texas Department of Licensing and Regulation Number ELE2002000997D.
2. An Ordinance changing the zoning of the South 55 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, and the North 55 Feet of the South 110 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, El Paso, El Paso County, Texas (8323 North Loop) from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Jose Gutierrez / Representative: Dick Bowen, 309 Celaya Way, El Paso, TX 79927. ZC-01070 THIS IS AN APPEAL CASE.

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and carried that the City is authorized to pay to the Texas Department of Licensing and Regulation filing fees and administrative penalty as mutually agreed for the matter associated with the elevator at the Tillman Center.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to deny an Ordinance changing the zoning of the South 55 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, and the North 55 Feet of the South 110 Feet of the West 110 Feet of the East 210 Feet of Tract 24, LOMALAND, El Paso, El Paso County, Texas (8323 North Loop) from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Jose Gutierrez / Representative: Dick Bowen, 309 Celaya Way, El Paso, TX 79927. ZC-01070 THIS IS AN APPEAL CASE.

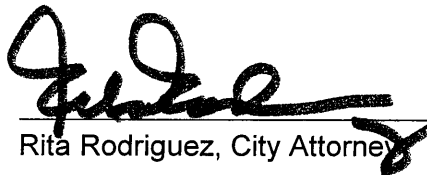
.....
Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to adjourn this meeting at 11:04 a.m.
.....

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Carole Hunter, City Clerk



Rita Rodriguez, City Attorney

